

HUMAN SERVICES BOARD

INTRODUCTION

FINDINGS OF FACT

2. Based on this information, the Department recalculated the petitioner's eligibility using the \$885.80 per month figure. The only deduction used for the petitioner was the standard deduction of \$134.00 per month. The Department calculated his net income at \$751.80, which was determined to be over the maximum income for a single person. The petitioner was notified that his Food Stamps would be terminated as of October 1, 2000.

3. The original determination was made without a deduction for an excess shelter amount because at the time, the petitioner was living with a friend. When the petitioner moved into a motel, the Department recalculated the petitioner's eligibility using a shelter liability of \$645.00 per month. The amount of his shelter that is in excess of 50% of his net income (\$751.80) was determined to be \$269.10. That amount was deducted from his income for a new net income of \$482.70. That amount entitled the petitioner to \$10.00 per month in Food Stamps.

4. The petitioner has no dependent children and has no medical expenses which are not covered by VHAP. The petitioner has many expenses connected with keeping his car in running order and with paying back credit cards. He is going to college, and trying to get a job with the help of Vocational Rehabilitation in spite of serious medical problems. He has also applied for Social Security benefits.

ORDER

The decision of the Department is affirmed.

REASONS

The Food Stamp regulations allow certain specific deductions from income, including a \$134.00 standard deduction, a deduction for excess medical expenses, a deduction for dependent care expenses, and a deduction for excess shelter expenses. F.S.M. 273.9(d). The petitioner received both the standard deduction and an excess shelter deduction, the only deductions for which he was eligible. There are no provisions in the regulations for deductions for credit card or car expenses. The Department is correct that the petitioner's countable net income is \$482.70 per month.

A single person with countable income of \$482.70 per month is eligible for \$10.00 in Food Stamp benefits. P-2590 D(6). The Department thus correctly calculated the petitioner's eligibility under its regulations and its decision must be upheld by the Board. 3 V.S.A. 3091(d), Fair Hearing Rule 17.

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